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0 Attorney for Defendants
1 Ripple Labs Inc., XRP II, LLC, Bradley
2 Garlinghouse, Christian Larsen, Ron Will,
3 Antoinette O’Gorman, Eric van Miltenburg,
Susan Athey, Zoe Cruz, Ken Kurson, Ben
Lawsky, Anja Manuel, and Takashi Okita

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA**

AVNER GREENWALD, individually and on behalf of all others similarly situated,) CASE NO.: 3:18-cv-04790-PJH
Plaintiff,)
Defendants.)
v.)
RIPPLE LABS INC., et al.,)
Defendants.)
DEFENDANTS' RESPONSE TO STANDING ORDER RE REMOVED CASES

In response to the Court’s Standing Order re Removed Cases, Defendants Ripple Labs Inc., XRP II, LLC, Bradly Garlinghouse, Christian Larsen, Ron Will, Antoinette O’Gorman, Eric van Miltenburg, Susan Athey, Zoe Cruz, Ken Kurson, Ben Lawsky, Anja Manuel, and Takashi Okita (collectively, “Defendants”) submit the following information:

1. All Defendants served at the time of removal joined in the notice of removal.

2. The notice of removal was not dated more than thirty days after the first defendant was served. The first defendant was served on July 9, 2018, and the notice of removal was dated August 8, 2018.

9 3. Defendants did not remove this action on the grounds of diversity jurisdiction under
10 28 U.S.C. § 1332(a). Defendants removed this action pursuant to the Class Action Fairness Act
11 (“CAFA”), 28 U.S.C. §§ 1332(d), 1453. CAFA provides that a class action meeting its
12 requirements may be removed “without regard to whether any defendant is a citizen of the State in
13 which the action is brought.” 28 U.S.C. § 1453(b). As set forth more fully in Defendants’ Notice
14 of Removal (ECF No. 1), the action meets CAFA’s requirements because it is a worldwide putative
15 class action brought on behalf of more than 100 alleged class members, in which minimal diversity
16 exists between any member of the putative class of plaintiffs and Defendants and more than \$5
17 million is in controversy. See 28 U.S.C. §§ 1332(d)(2), (d)(2)(A), (d)(5)(B).

18 4. Defendants did not remove this action on the grounds of diversity jurisdiction under
19 28 U.S.C. § 1332(a). Defendants removed this action pursuant to CAFA, 28 U.S.C. §§ 1332(d),
20 1453. CAFA requires only minimal diversity. Minimal diversity under CAFA exists when “any
21 member of a class of plaintiffs is a citizen of a State different from any defendant” or when “any
22 member of a class of plaintiffs is a . . . citizen . . . of a foreign state and any defendant is a citizen
23 of a State.” 28 U.S.C. § 1332(d)(2)(A), (B). The class Plaintiff purports to represent consists of
24 citizens of states throughout the United States and the world. At least three of the Defendants are
25 citizens of California.

26 | DATED: August 16, 2018

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

By: _____ */s/Peter B. Morrison*
Peter B. Morrison
Attorney for Defendants